## CITY COUNCIL AGENDA ITEM COVER MEMO

	Agenda Item Number		
Meeting Type: Regular	Meeting Date: 7/12/2012		
Action Requested By: Legai	Agenda Item Type Resolution		
Subject Matter:			
Invoking letter of credit.			
Evact Wording for the Agenda:			
Resolution authorizing the Clerk-Treasurer to invok 139 for Renaissance Phase 2 Subdivision.	e First Commercial Bank Letter of Credit No.		
Note: If amendment, please state title and nur	nber of the original		
Item to be considered for: Action Unanimo	us Consent Required: <u>No</u>		
Briefly state why the action is required; why it is reprovide, allow and accomplish and; any other information that mig	E460		
28			
Associated Cost:	Budgeted Item: Not applicable		
MAYOR RECOMMENDS OR CONCURS: Yes			
Department Head:	Date: 6-29-12		
revised 3/12/2012			

RESOLUTION	NO.	12-	
	110.		

WHEREAS, First Commercial Bank issued a certain letter of credit (No. 139), a copy of which is attached hereto and incorporated herein by reference, including any amendments thereto, in favor of the City of Huntsville, Alabama pursuant to Article 5 of the Subdivision Regulations for the City of Huntsville, Alabama; and

WHEREAS, the letter of credit is due to be invoked and the proceeds used in accordance with said subdivision regulations.

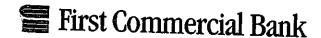
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the City of Huntsville Clerk-Treasurer be and is hereby authorized to present for payment to First Commercial Bank Letter of Credit No. 139, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 12th day of July, 2012.

President of the City Council of the City of Huntsville, Alabama

APPROVED this the 12th day of July, 2012.

Mayor of the City of Huntsville, Alabama



PO Box 040002 Huntsville, AL 35804 Phone 256-551-3300 www.fcb-hsv.com

IRREVOCABLE LETTER OF CREDIT NO. 139

Two Text

Beneficiary:

City of Huntsville, Alabama Clerk-Treasurer Office

P.O. Box 308

Huntsville, AL 35804

Account Party:

Jeff Benton Development, Inc 809 Shoney Dr Ste #200

Huntsville, AL 35801

Bank:

First Commercial Bank A Division of Synovus Bank 301 Washington Street

Hunville, AL 35801

Subject:

Article 5 Sidewalk Letter of Credit for

RENAISSANCE PHASE 2 a Resubdivision of Tract C-1 of Renaissance, Resubdivision of Tract B and Tract C of a Resubdivision of Lot 5 of a Resubdivision of Lot 3 of a Resubdivision of Lot 8 Commerce 2000 Subdivision

Amount:

\$36,440.00

Issue Date:

June 24, 2011

**Expiration Date:** 

July 23, 2012

## Gentlemen:

We hereby open our irrevocable Standby Letter of Credit in your favor, effective <u>June 24, 2011</u>, for a sum not to exceed the aggregate of <u>Thirty Six Thousand Four Hundred Forty Dollars and Zero Cents (\$36,440.00)</u> available by your one or more of your drafts at SIGHT on us.

All draft(s) drawn under and in compliance with the terms of this Credit prior to the expiration thereof will be duly honored if drawn and presented for payment to <u>First Commercial Bank in Huntsville</u>, a division of <u>Synovus</u>

Each draft must be accompanied by a statement signed by a representative of the City of Huntsville, Alabama stating that the draw is being made pursuant to Article 5 of the Subdivision Regulations.

THE ORIGINAL OF THIS LETTER OF CREDIT MUST BE PRESENTED WITH ANY DRAWING.

We hereby engage with you that drafts drawn under and in compliance with the terms of the credit will be duly honored upon presentation and deliver of the documents as specified.

The Letter of Credit shall be governed by the laws of the State of Alabama including but not limited to the Alabama Uniform Commercial Code, as the same may be from time to time amended.

This Letter of Credit is subject to the International Standby Practices 1998 (ISP98)

FIRST COMMERCIAL BANK OF HUNTSVILLE, A DIVISION OF SYNOVUS BANK

W Leigh Pegues

Executive Vice President

OK CE18 B/29/1

ruxcA 6/28/11

\*TA 6-2x-11